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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

CARLTON DIANTE HOWARD,

Defendant and Appellant.

2d Crim. No. B240660  
(Super. Ct. No. YA081610)  
(Los Angeles County)

Carlton Diante Howard appeals from the judgment entered after a jury convicted him of assault with a deadly weapon (Pen. Code, § 245, subd. (a))<sup>1</sup> with a street gang enhancement (§ 186.22, subd. (b)(1)(B)). Appellant admitted a prior prison term enhancement (§ 667.5, subd. (b)) and was sentenced to eight years state prison. The trial court ordered appellant to pay a \$240 restitution fine (§ 1202.4, subd. (b)), a \$240 parole revocation fine (§ 1202.45), a \$40 court security fee (§ 1465.8), and a \$30 criminal conviction assessment (Gov. Code § 70373).

We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, counsel filed an opening brief in which no issues were raised. On January 28, 2013 we advised appellant that he had 30 days within which to personally

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<sup>1</sup> All statutory references are to the Penal Code unless otherwise stated.

submit any contentions or issues he wished us to consider. No response has been received.

The evidence shows that appellant struck a rival gang member in the head with a hammer at an Inglewood liquor store. The assault was videotaped on the store video security system. A gang expert testified that appellant was a member of the Crenshaw Mafia Gang and committed the assault for the benefit of and in association with the gang.

We have reviewed the record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Kelly* ( 2006) 40 Cal.4th 106, 125-126; *People v. Wende* (1979) 25 Cal.3d 436, 443.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

Victor L. Wright, Judge  
Superior Court County of Los Angeles

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California Appellate Project, under appointment by the Court of Appeal,  
Jonathan B. Steiner, Executive Director and Ann Kausz, Attorney for Defendant and  
Appellant.